

PAYMENT OF WAGES AND FRINGE BENEFITS (EXCERPT)
Act 390 of 1978

408.472 Payment of wages; time; regularly scheduled weekly or biweekly payday; monthly payday; overtime earnings during month of December; frequency of wage payments.

Sec. 2. (1) An employer, except an employer of an individual who harvests crops by hand as provided in subsection (2), shall pay the following to each employee:

(a) On or before the first day of each calendar month, the wages earned during the first 15 days of the preceding calendar month.

(b) On or before the fifteenth day of each calendar month, the wages earned during the preceding calendar month from the sixteenth day through the last day.

(2) An employer shall pay to each individual engaged in any phase of the hand harvesting of crops all wages earned in a week on or before the second day following the work week unless another method of payment is agreed upon by written contract.

(3) An employer who has established a regularly scheduled weekly or biweekly payday shall be deemed to be in compliance with subsection (1) provided that:

(a) Wages are paid to the employee on the established regularly recurring payday; and

(b) Such payday occurs on or before the fourteenth day following the end of the work period in which the wages are earned.

(4) An employer who establishes a monthly payday shall be deemed to be in compliance with subsection (1) provided that the employer pays to the employee on or before the first day of each calendar month all wages earned during the preceding calendar month.

(5) In the case of employees' overtime earnings earned during the month of December which would in compliance with this section be paid to the employee after the sixteenth of December, an employer will be deemed to be in compliance with this section provided the employer meets all of the following:

(a) Employees receive all their wages, except overtime, for the month of December on or before the employees' regularly scheduled payday;

(b) And all overtime wages earned during the month of December are paid on or before the next regularly scheduled payday following the payday in which the overtime would otherwise be paid.

(6) An employer may pay wages more often than required by this section.

History: 1978, Act 390, Imd. Eff. Aug. 1, 1978.

Compiler's note: For creation of bureau of worker's and unemployment compensation within department of consumer and industry services; transfer of powers and duties of bureau of worker's compensation and unemployment agency to bureau of worker's and unemployment compensation; transfer of powers and duties of director of bureau of worker's compensation and director of unemployment agency to director of bureau of worker's and unemployment compensation; and, transfer of powers and duties of wage and hour division of worker's compensation board of magistrates to bureau of worker's and unemployment compensation, see E.R.O. No. 2002-1, compiled at MCL 445.2004 of the Michigan Compiled Laws.

For creation of the new wage and hour division as a type II agency within the department of labor and economic growth, see E.R.O. No. 2003-1, compiled at MCL 445.2011.

For transfer of powers and duties of the former wage and hour division of the department of consumer and industry services, transferred to the bureau of worker's and unemployment compensation, to the new wage and hour division within the department of labor and economic growth by type II transfer, see E.R.O. No. 2003-1, compiled at MCL 445.2011.